

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BECTON, DICKINSON AND
COMPANY,

Plaintiff,

v.

CYTEK BIOSCIENCES INC., et al.,
Defendants.

Case No. [18-cv-00933-MMC](#)

**ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFF'S
ADMINISTRATIVE MOTION TO FILE
DOCUMENTS UNDER SEAL;
DIRECTIONS TO PLAINTIFF**

Before the Court is plaintiff Becton, Dickinson and Company's ("BD") "Unopposed Administrative Motion," filed May 6, 2020, "to Seal Portions of Plaintiff's Third Amended Complaint," whereby BD seeks to file under seal material designated confidential by defendant Cytek Biosciences Inc. ("Cytek"). Having read and considered the administrative motion and the declarations filed in support thereof, the Court rules as follows.

1. To the extent BD seeks to file under seal Exhibits 16 through 22, 29, 33, and 36 through 39 to its Third Amended Complaint ("TAC"), the motion to seal is hereby GRANTED and said exhibits shall remain under seal.

2. To the extent BD seeks to file under seal Exhibits 23, 24, 26 through 28, 31, 32, 34, and 35 to its TAC, the motion to seal is hereby DENIED, as the designating party, Cytek, does not contend any portions thereof contain material that is confidential, and, accordingly, BD is hereby DIRECTED to file said exhibits in the public record within seven days of the date of this order.

3. To the extent BD seeks to file under seal portions of its TAC, the motion to seal is hereby GRANTED as to all portions other than the following, as to which the motion is

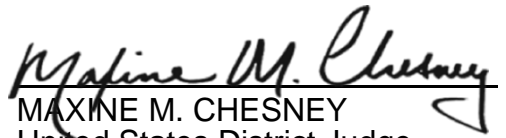
DENIED, as said portions do not cite to any material that the designating party, Cytek, has contended is confidential:

- a. Page 34:27 (beginning with "as") - Page 35:1 (ending with "software")
- b. Page 35:1 (beginning with "as") - 4 (ending with "Cytek")
- c. Page 35:13 (beginning with "including") - 14 (ending with "email")
- d. Page 35:15 (beginning with "December") - 17 (ending with "guide")
- e. Page 36:7 (beginning with "including") - 8 (ending with "document")

BD is hereby DIRECTED to file, within seven days of the date of this order, a version of its TAC consistent with the above.

IT IS SO ORDERED.

Dated: May 20, 2020


MAXINE M. CHESNEY
United States District Judge